

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JEROME HOOKS,

Plaintiff,

v.

WARDEN NEVEN et al.,

Defendants.

2:13-cv-1796-GMN-PAL

ORDER

I. DISCUSSION

Plaintiff, who was a prisoner in the custody of the Nevada Department of Corrections (“NDOC”) at the time he initiated this case, has submitted an application to proceed *in forma pauperis*, a civil rights complaint pursuant to 42 U.S.C. § 1983, and a motion for appointment of counsel. (ECF No. 2, 4). The Court notes that, pursuant to the NDOC’s inmate search records, Plaintiff was discharged from prison on December 8, 2013. Plaintiff has not updated his current address with the Court.

The Court notes that pursuant to Nevada Local Special Rule 2-2, “[t]he plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party’s attorney. Failure to comply with this Rule may result in dismissal of the action with prejudice.” Nev. Loc. Special R. 2-2. This Court grants Plaintiff thirty (30) days from the date of entry of this order to file his updated address with this Court. If Plaintiff does not update the Court with his current address within thirty (30) days from the date of entry of this order, the Court will dismiss this action with prejudice.

With respect to the application to proceed *in forma pauperis*, the Court notes that

1 Plaintiff must now file an application to proceed *in forma pauperis* for non-prisoners. The Clerk
2 of the Court shall send Plaintiff the approved form for an Application to Proceed *In Forma*
3 *Pauperis* for non-prisoners, as well as the document "Information and Instructions for Filing
4 a Motion to Proceed *In Forma Pauperis*." The Court will retain Plaintiff's civil rights complaint,
5 but will not file it until the matter of payment of the filing fee is resolved. Plaintiff is granted an
6 opportunity to file the non-prisoner *in forma pauperis* application or, in the alternative, pay the
7 filing fee for this action. Within thirty (30) days from the date of entry of this order, Plaintiff
8 shall file his non-prisoner *in forma pauperis* application or, in the alternative, pay the full filing
9 fee for this action. If Plaintiff fails to either file a non-prisoner *in forma pauperis* application or
10 pay the full filing fee within thirty (30) days from the date of entry of this order, the Court shall
11 dismiss this case.

12 II. CONCLUSION

13 For the foregoing reasons, **IT IS ORDERED** that Plaintiff's Application to Proceed *In*
14 *Forma Pauperis* for prisoners (ECF No. 4) is **DENIED**, without prejudice to his filing a new
15 application for non-prisoners.

16 **IT IS FURTHER ORDERED** that the Clerk of the Court **SHALL SEND** Plaintiff the
17 approved form for an Application to Proceed *In Forma Pauperis* for non-prisoners, as well as
18 the document "Information and Instructions for Filing a Motion to Proceed *In Forma Pauperis*."

19 **IT IS FURTHER ORDERED** that within **thirty (30) days** from the date of entry of this
20 order, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis* for
21 non-prisoners or (2) pay the full filing fee of \$350.

22 **IT IS FURTHER ORDERED** that Plaintiff **SHALL FILE** his current address with the
23 Court within **thirty (30) days** from the date of entry of this order.

24 **IT IS FURTHER ORDERED** that if Plaintiff does not timely comply with this order, the
25 Court will dismiss this action.

26 **IT IS FURTHER ORDERED** that the Clerk of the Court shall retain Plaintiff's civil rights
27 complaint (ECF No. 4 at 17-25), but shall not file it at this time.

28 ///

1 **IT IS FURTHER ORDERED** that a decision on Plaintiff's Motion for Appointment of
2 Counsel (ECF No. 2) is deferred at this time.

3
4 DATED this 23rd day of January, 2014.

5
6
7 
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Gloria M. Navarro, Chief Judge
United States District Court